

1 CALIFORNIA GAMBLING CONTROL COMMISSION
2 SPECIFIC LANGUAGE OF PROPOSED REGULATIONS
3 RENEWAL OF GAMBLING LICENSES; DELINQUENT APPLICATION FEE
4 NONPAYMENT OF ANNUAL FEE; TEMPORARY CLOSURE OF GAMBLING ESTABLISHMENT
5 CGCC-GCA-2011-04-R
6

7 CALIFORNIA CODE OF REGULATIONS
8 TITLE 4. BUSINESS REGULATIONS.
9 DIVISION 18. CALIFORNIA GAMBLING CONTROL COMMISSION.
10

11 CHAPTER 1. GENERAL PROVISIONS.

12 § 12008. Registration ~~Fees~~; and License Application Fees.

13 Every application for a registration or license issued pursuant to this division shall be
14 accompanied by a fee that is authorized by Business and Professions Code section 19951(a).

15 Every application for a work permit issued pursuant to Chapter 2 of this division shall be
16 accompanied by a fee that is authorized by Business and Professions Code section 19915. The
17 fee for the initial application and renewal of registrations, licenses or work permits issued
18 pursuant to this division is as follows:

19 (a)(1) For an initial ~~and renewal~~ Gambling License issued pursuant to Chapter 6, the fee is
20 one thousand dollars (\$1000).

21 (2) For a renewal Gambling License issued pursuant to Chapter 6 when the complete renewal
22 application is submitted in a timely manner, as defined in subsection (a) of Section 12345 of
23 Article 3, the fee is one thousand dollars (\$1000) for each application required pursuant to
24 Section 12345. For a renewal Gambling License issued pursuant to Chapter 6 when the
25 complete renewal application is deemed delinquent, as defined in subsection (a) of Section
26 12345, the fee is two thousand dollars (\$2000) for each application required pursuant to Section
27 12345, which includes a delinquency fee of one thousand dollars (\$1000).

28 * * * *

29 Note: Authority cited: Sections 19811, 19824, 19840, 19841(a), 19853(a)(3), 19854, 19876(g), 19915, 19951(a)
30 and 19984, Business and Professions Code. Reference: Sections 19915, 19841(r), 19853(a)(3), 19951(a), 19876(g)
31 and 19984(b), Business and Professions Code.

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1 CHAPTER 6. GAMBLING LICENSES AND APPROVALS FOR GAMBLING ESTABLISHMENTS AND
2 OWNERS; PORTABLE PERSONAL KEY EMPLOYEE LICENSES.

3 ARTICLE 1. DEFINITIONS AND GENERAL PROVISIONS.

4 **§ 12335. Definitions.**

5 (a) Except as otherwise provided in section 12002(b) of these regulations, the definitions in
6 Business and Professions Code section 19805 shall govern the construction of this chapter.

7 (b) As used in this chapter:

8 (1) “~~Table~~Annual Fee” means the fee established by Business and Profession Code, section
9 19951(b)(2).

10 (2) “Portable Personal Key Employee License” or “Key Employee License” means a license
11 which authorizes the holder to be associated with any gambling enterprise as a key employee,
12 provided the key employee terminates employment with one gambling enterprise before
13 commencing work for another, as provided in Business and Professions Code sections 19805,
14 subdivisions (~~w~~x) and (~~x~~y), and 19854, subdivision (c).

15 * * * *

16 Note: Authority cited: Sections 19811(b), 19823, 19824, 19840 and 19841, Business and Professions Code.
17 Reference: Sections 19800, 19805(w), 19805(x), 19811, 19854 and 19951(b)(2), Business and Professions Code.

18
19 ARTICLE 2. GAMBLING LICENSES.

20 **§ 12342. Initial Gambling License Applications; Required Forms; Processing Times.**

21 (a) Any person applying for a gambling license shall, as appropriate, complete the following
22 forms, which are hereby incorporated by reference:

23 (1) Application for State Gambling License, CGCC-030 (Rev. ~~05/08~~06/11).

24 * * * *

25 Note: Authority cited: Sections 19811, 19824, 19840 and 19841, Business and Professions Code. Reference:
26 Sections 19841, 19850, 19851, 19852, 19855, 19856, 19857, 19864, 19865, 19866, 19867, 19868, 19880, 19881,
27 19883, 19890, 19893, 19951 and 19982, Business and Professions Code.

28
29 **§ 12345. Gambling License Renewals; Processing Times.**

30 (a) ~~Each application for renewal of a gambling license shall be accompanied by all of the~~
31 ~~following:~~ A complete application for renewal of a gambling license shall be timely filed by the
32 owner-licensee with the Commission no later than 120 days prior to the expiration of the current

1 license. To be timely, the complete application for renewal must either be received by the
2 Commission no later than the date due or, if delivered by mail, be postmarked no later than the
3 date due. If the complete application is filed less than 110 days prior to the expiration date of the
4 current license, the application of the owner-licensee and each individual application required
5 pursuant to subsection (b), shall be deemed delinquent. For the purposes of this section, a
6 “complete application” shall consist of all of the following for the owner-licensee and each
7 person whose name is required to be endorsed upon the license of the owner-licensee, as
8 specified in subsection (b):

9 (1) A completed and executed "Application for State Gambling License, CGCC-030," as
10 referred to in paragraph (1) of subsection (a) of Section 12342;

11 (2) A nonrefundable application fee in the applicable amount specified in subsection (a) of
12 Section 12008 for renewal of a gambling license; and,

13 (3) Any applicable investigation deposit specified in Title 11, CCR, Section 2037. However,
14 if, after a review of an application for renewal of a gambling license, the Bureau determines that
15 further investigation is needed, the applicant shall submit an additional sum of money that, in the
16 judgment of the Chief of the Bureau, will be adequate to pay the anticipated investigation and
17 processing costs, in accordance with Business and Professions Code section 19867.

18 (b) Each person whose name is required to be endorsed upon the license of a particular
19 gambling enterprise shall ~~submit~~ complete and execute a separate application for renewal of that
20 person's license. ~~_, together with the application fee specified in subsection (a) of Section 12008.~~

21 ~~—(e)~~ All applications for renewal of the endorsed licensees’ gambling licenses for a particular
22 gambling enterprise shall be submitted to the Commission together ~~as~~ with the owner-licensee’s
23 application in a single package ~~to the California Gambling Control Commission, as provided in~~
24 subsection (a).

25 ~~(d) If, after a review of an application for renewal of a gambling license, the Bureau~~
26 ~~determines that further investigation is needed, the applicant shall submit an additional sum of~~
27 ~~money that, in the judgment of the Chief of the Bureau, will be adequate to pay the anticipated~~
28 ~~investigation and processing costs, in accordance with Business and Professions Code section~~
29 ~~19867.~~

30 ~~(e)~~ Except as provided in subsection ~~(f)~~ (d), renewal gambling license applications submitted
31 pursuant to subsections (a) and (b) of this section shall be processed within the following

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1 timeframes:

2 (1) ~~An application for renewal of a gambling license shall be filed by the owner licensee with~~
3 ~~the Commission no later than 120 days prior to the expiration of the current license.~~

4 (2) The maximum time within which the Commission shall notify the applicant in writing
5 that an application or a resubmitted application is complete and accepted for initial processing by
6 the Commission, or that an application or a resubmitted application is deficient and identifying
7 what specific additional information is required, is 10 days after receipt of the application. ~~For~~
8 ~~the purposes of this section, "application" means the Application for State Gambling License,~~
9 ~~CGCC 030, referred to in paragraph (1) of subsection (a) of Section 12342. An application is~~
10 ~~not complete unless accompanied by the fee specified in subsection (a) of Section 12008 for a~~
11 ~~gambling license.~~

12 (3) An application for renewal of a gambling license shall be forwarded by the Commission
13 to the Bureau for processing within five days of the date that the Commission determines that the
14 application is complete.

15 (4) The Bureau shall submit its written report concerning the renewal application, which
16 may include a recommendation pursuant to Business and Professions Code section 19826,
17 subdivision (a), to the Commission no later than 45 days prior to the expiration of the current
18 license, ~~unless that application is filed with the Commission less than 120 days prior to the~~
19 ~~expiration of the current license.~~

20 (f) The processing times specified in paragraphs (2) through and including (4) of
21 subsection (e) may be exceeded in any of the following instances:

22 (1) The applicant has agreed to extension of the time.

23 (2) The number of licenses to be processed exceeds by 15 percent the number processed in
24 the same calendar quarter the preceding year.

25 (3) The Commission must rely on another public or private entity for all or part of the
26 processing and the delay is caused by that other entity.

27 (4) The application was filed with the Commission less than 120 days prior to the expiration
28 of the current license.

29 (g) ~~An application for license renewal that was not submitted at least 120 days in advance of~~
30 ~~the expiration of the existing license shall be subject to the same timeframes as specified in~~
31 ~~paragraphs (2) through (4) of subsection (e). However, if the Bureau and the Commission~~

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1 cannot complete their review and approval of the application prior to the expiration of the
2 existing license due to the late submittal of the renewal application, the gambling enterprise shall
3 cease all gambling operations on the expiration date of the license. ~~and~~ G gambling operations
4 shall not resume until the renewal application is approved by the Commission, unless the license
5 has been extended as provided in subdivision (c) of section 19876 of the Business and
6 Professions Code.

7 (hf) If a licensee has not submitted a complete renewal application, including all required
8 fees and deposits, within 10 days after the expiration date of the current license, the license shall
9 be deemed abandoned. ~~An abandoned~~ A license that has been deemed abandoned pursuant to
10 this subsection shall be subject to the provisions of subsection (b) of Section 12347.

11 Note: Authority cited: Sections 19811, 19824, 19840, 19841 and 19951, Business and Professions Code.
12 Reference: Sections 19826, 19851, 19868, 19876 and 19951, Business and Professions Code.

13
14 ARTICLE 4. ~~TABLE~~ ANNUAL FEE; REQUESTS FOR ADDITIONAL TABLES.

15 § 12357. ~~Table~~ Annual Fee.

16 (a) The annual fee required by Business and Professions Code section 19951, subdivision (b),
17 paragraph (2), subparagraph (B) shall be based on the criteria in ~~subsection (a) or (b)~~ paragraph
18 (1) or (2) of this subsection, whichever is applicable, and shall be due and ~~paid annually by the~~
19 ~~holder of a state gambling license~~ payable to the Commission annually by the gambling
20 enterprise no later than 120 calendar days following the end of the ~~licensee's~~ gambling
21 enterprise's fiscal year. To be considered timely, the annual fee must either be received by the
22 Commission no later than the date due or, if delivered by mail, be postmarked no later than the
23 date due.

24 (a1) The annual fee specified in ~~Business and Professions Code~~ subdivision (c) of section
25 19951, ~~subdivision (c)~~ shall be based on the number of tables authorized by the license ~~during at~~
26 the close of the ~~licensee's~~ gambling enterprise's preceding fiscal year.

27 (b2) The annual fee specified in ~~Business and Professions Code~~ subdivision (d) of section
28 19951, ~~subdivision (d)~~ shall be based on the ~~owner licensee's~~ gambling enterprise's gross
29 revenues for the preceding fiscal year.

30 (eb) Each ~~holder of a state gambling license~~ owner-licensee shall submit, ~~to the Commission,~~
31 ~~together~~ with their payment of the annual fee specified in this section, a completed ~~form~~

1 Gambling Establishment Annual Fee Calculation, form CGCC-028 (~~New 08/07~~ Rev. 06/11),
2 which is hereby incorporated by reference.

3 (c) If the full amount of the annual fee has not been received by the Commission within 90
4 days after the payment due date, and the gambling license has been deemed surrendered pursuant
5 to Business and Professions Code section 19955, the license shall be subject to the provisions of
6 subsection (b) of Section 12347 of Article 2.

7 Note: Authority cited: Sections 19811(b), 19823, 19824, 19840, 19841, 19876(a), ~~and~~ 19951, and 19955, Business
8 and Professions Code. Reference: Sections 19841, 19876(a), 19951, ~~and~~ 19954 and 19955, Business and
9 Professions Code.

10
11 **§ 12359. Request for Additional Permanent Tables.**

12 * * * *

13 (d) Commission staff shall commence the initial review and shall forward the application to
14 the Bureau for investigation within 7 days of receipt of the application. The Bureau shall
15 complete its review and return its findings to the Commission within 25 days of receipt of the
16 application from the Commission. Commission staff shall then complete the review and set the
17 request on the Commission agenda within 90 days of receiving the Bureau's findings and advise
18 the applicant of the agenda date and any required ~~table~~ annual fees due. If the request for
19 additional permanent tables is approved, the applicant must pay the required ~~table~~ annual fees
20 due before placing the additional tables in operation.

21 Note: Authority cited: Sections 19811, 19823, 19824, 19840, 19841, 19864, 19950(b) and 19951, Business and
22 Professions Code. Reference: Section 19951, Business and Professions Code.